



## Austin City Council MINUTES

For MARCH 24, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers.

#### MINUTES APPROVED

Approved minutes for regular meeting of March 17, 1988 and special meeting of March 15, 1988. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Urdy and Carl-Mitchell out of the room)

#### CITIZEN COMMUNICATIONS

John Joseph discussed the Capital Recovery fee Ordinance. Alex W. Young talked about proposal for joint City/County planning commission. James Allman discussed status of C.I.P. project to replace sewers in Hyde Park. Mark Weaver discussed massage parlor ordinance. Col. Don Rettberg told Council about the new facility for the Infant-Parent Training Center. Carole Rylander, Ron Mullen, Dr. S.S. Dryden, Gilbert Martinez reading a letter from Hector DeLeon and Bill Youngblood all discussed the Police cadet class.

#### POLICE CADET CLASS

Mayor Cooksey stated that the Police cadet class, which Council had voted to postpone, can be funded with the pass through of funds in the Electric Utility from the South Texas Nuclear Project settlement. If for some reason the STNP settlement should fail, then the cadet class will be funded through the ending balance. Mayor Cooksey said there would be a resolution concerning the cadet class on the March 31, 1988 agenda.

Sarah Farley, Budget Director, discussed the \$1.5-million shortfall in the police budget. She said they have delayed and/or deleted overtime, and delayed new computer programming. They have frozen some jobs and have found excess funds in terminal pay. These things generated \$994,000. It was determined that the delay of the cadet class and freezing of more positions would save \$365,000. That, she said is the recommendation and it still remains.

## BRACKENRIDGE HOSPITAL BOARD REPORT

Mrs. Betty Himmelblau presented the Brackenridge Hospital Board Report on Advance from Investment Pool and Related Issues. She said the Board supports the Manager's recommendation concerning the hospital debt accrued from the past and asked when Council would vote on the critical issue. Mayor Cooksey said the recommendation for action will be posted in the next several weeks.

## SIGN ORDINANCE AMENDMENTS POSTPONED

Postponed to March 31, 1988 is consideration of amendments to the Sign Ordinance.

## ZONING ORDINANCES

Council passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, except where otherwise noted)

- |                   |                   |               |
|-------------------|-------------------|---------------|
| (1) RAY ROBERTSON | 8400-8420 Old Bee | From "I-RR"   |
| C14-85-288.41     | Caves Road        | to Tr. 1 "LR" |
|                   |                   | Tr. 2 "MF-1"  |
|                   |                   | ORDINANCE     |

First reading on April 16, 1986, (5-0). Mayor Pro Tem Trevino and Councilmember Humphrey out of the room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- |                       |                  |               |
|-----------------------|------------------|---------------|
| (1) ANDREW AND EVELYN | 9409 Dessau Road | From "I-SF-3" |
| JACOBSEN Jr.          |                  | to "CS"       |
| C14e-85-391           |                  | ORDINANCE     |

First reading on April 3, 1986, (5-0). Mayor Cooksey out of the room at roll call. Conditions have been met as follows: Applicant requests to delete the site plan requirement as a condition of zoning and complete the second/third readings; the right-of-way dedication requirement has been satisfied.

- |                  |           |                 |
|------------------|-----------|-----------------|
| (3) JAMES MORITZ | 4105 Mesa | From "I-SF-2" & |
| C14r-85-258      |           | "I-RR"          |
|                  |           | to "LO"         |
|                  |           | ORDINANCE       |

5-0 Vote, Mayor Cooksey abstained,  
Mayor Pro Tem Trevino out of the room

First reading on December 5, 1985, (4-1). Councilmember Shipman out of room at roll call and Councilmember Carl-Mitchell absent. Conditions have been met as follows: Development restricted to that shown on the site plan attached as an exhibit to the ordinance.

3/24/88

(4) OAK HILL HEIGHTS  
JOINT VENTURE  
By Vera D. Massaro  
C14-86-004 (Part)

8500-8900 FM 1826

From Tr. 5 "I-RR"  
Tr. 5A "I-RR"  
Tr. 6 "I-RR"  
to Tr. 5 "SF-2"  
Tr. 5A "RR"  
Tr. 6 "SF-3"  
ORDINANCE

First reading on January 28, 1988, (7-0). Conditions have been met as follows: Development restricted to that shown on the site plan attached as an exhibit to the ordinance.

## PUBLIC HEARING SET

Robert Kim  
C14-87-168

8600 FM 969  
+ Decker Lane

From "DK"  
to "GR"  
Ordinance

Set a public hearing at 4:00 p.m., May 12, 1988 in connection with paving assessments to be levied on Montopolis Drive, consisting of one unit covering approximately 17 blocks. C.I.P. No. 78/62-09, on Councilmember Humphrey's motion, Councilmember Nofziger's second, (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Nofziger out of the room)

## CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted the following resolutions all in one motion: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

Street Right-of-Way

Approved dedication of right-of-way for street purposes out of a City-owned tract known as the St. Elmo Road Service Center.

Capital Improvements Center

Authorized the filing of Eminent Domain Proceedings to acquire:

- a. 0.357 acre (15,570 square feet) of land in fee simple out of the James De. Goode Survey No. 30 in Travis County, Texas owned by Richcreek Associates for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-02
- b. 1.1020 acres of land in fee simple out of the Gregory W. Neuman Subdivision, Travis County, Texas owned by Lakshminarayanan Srinivasan for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- c. 0.720 acre (31,349 square feet) of land in fee simple out of the James Rodgers Survey No. 19 in Travis County, Texas owned by Bright Banc Savings Association for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-02
- d. 0.513 acre (22,340 square feet) of land in fee simple out of the George V. Davis Survey No. 15, Abstract No. 217 in Travis County, Texas owned by Tripod Realty, Inc. and Grace Chen for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-02

- e. 0.400 acre (17,410 square feet) of land in fee simple out of the George W. Davis Survey No. 15, Abstract No. 217 in Travis County, Texas owned by Tripod Realty, Inc. for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-02
- f. 2.604 acres of land out of the William Bell Survey No. 24 in Travis County, Texas, owned by L & K Partnership for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- g. 0.361 acre (15,744 square feet) of land in fee simple out of the James D. Goode Survey No. 30 in Travis County, Texas owned by Jerry V. Willingham for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- h. 3.002 acres of land in fee simple out of the Elisha Allen Survey No. 2, Abstract No. 18, Williamson County, Texas owned by Clarence T. Bach and wife Wilma J. Bach for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- i. 1,605 square feet of land in fee simple out of the George W. Davis Survey No. 15, Travis County, Texas owned by R. L. Heinrichs and Anthony George, Jr., Trustees, for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- j. Drainage Easement containing 35,273 square feet of land out of the J.C. Tannehill Survey No. 29 in Travis County, Texas owned by Irving M. Groves, III for the Loyola Lane Street and Drainage Improvements Project. C.I.P. 85/62-32.

**Filing of Eminent Domain Proceeding Postponed**

Postponed to March 31, 1988 is filing of the following eminent domain proceeding:

Three electric transmission line easements containing 1.15 acres over Tract 1, Tract 2 and Tract 3 out of the Francisco Garcia Survey No. 60, Travis County, Texas, owned by Abu Dhabi, Inc. for Circuit 961, Jollyville Substation to Howard Lane Substation. C.I.P. No. 85/13-06.

**Contracts Approved**

Approved the following contracts:

- a. R.G.D. BUILDERS, INC. - CAPITAL IMPROVEMENTS PROGRAM -  
2013 Wells Branch Parkway, Ste. 303 Three (3) Emergency Medical  
Austin, Texas Services Structures, Emergency  
Medical Services Department  
Total \$263,900.00 C.I.P. Nos.  
85/93-04, 85/93-02

- b. **SOUTH WAY ELECTRIC UTILITY SERVICE, INC.**  
9705 Beck Circle  
Austin, Texas
- **CAPITAL IMPROVEMENTS PROGRAM -**  
Transmission Armor Rods and Conductor Dampers to be used on new 138 KV Circuits 906 and 917, McNeil Substation to Decker Substation to Kingsbery Substation, Electric Utility Department  
Total \$29,916.36 C.I.P. No. 88/13-01
- c. **CAMPBELL JANITORIAL SERVICES (MBE)**  
P. O. Box 49482  
Austin, Texas
- **Janitorial Services at Town Lake Center, Electric Utility Department**  
Twelve (12) Month Service Agreement  
Total \$51,585.00 88-S028-EC
- d. **GSX CHEMICAL SERVICES, INC.**  
P. O Box Drawer C  
Greenbrier, Tennessee
- **Household Hazardous Waste Collection, Transportation and Disposal Program, Department of Environmental Protection, Water and Wastewater Utility, and Transportation and Public Services Department**  
Total \$56,777.00 88-S089-KK
- e. **LONGHORN INTERNATIONAL EQUIPMENT, INC.**  
4711 E. 7th Street  
Austin, Texas
- **Seven (7) Heavy Duty Truck Chassis, General Services Department**  
Total \$237,265.00 88-0138-OH
- f. **UNION METAL CORPORATION**  
709 Lingco, Suite 101  
Richardson, Texas
- **Street Lighting Standards, General Services Department**  
Total \$51,000.00 88-0106-RD
- g. **BAXTER O.R.D.**  
13614 Wood Lane  
San Antonio, Texas
- **Disposable Heart Catheter Trays and Disposable Angiography Trays, Brackenridge Hospital**  
Twelve (12) Month Supply Agreement  
Total \$34,014.60 BS8-092
- h. **BEST HOSPITAL SUPPLY**  
2437 Willow Bend  
Richmond, Texas
- **Garments and Linens, Brackenridge Hospital**  
Twelve (12) Month Supply Agreement  
Total \$80,342.58 BS7-357
- i. **WALDENBOOKS**  
1276 Highland Mall  
Austin, Texas
- **Books, New York Times Bestsellers and other items, Austin Public Library Department**  
Twelve (12) Month Supply Agreement  
Total \$50,000.00 88-0051-LI

Spot Coal Purchase for Fayette

Approved entering jointly with the Lower Colorado River Authority into a six month contract for spot coal purchases for the Fayette Power Project and the Electric Utility Department from Peabody Development Co. in the amount of \$4,103,149.00

Grant Application - Library

Approved a grant application to the Texas State Library and Archives Commission to provide Interlibrary Loan Service for the period September 1, 1988 to August 31, 1989.

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Approved an application for a grant from the Texas State Library and Archives Commission for \$41,840.00 for the continuation of the East Austin Literacy Project at the Govalle Branch Library for the period September 1, 1988 - August 31, 1989.

CableVision Access Production Equipment

Approved Austin CableVision's request to purchase \$142,028.00 worth of access production equipment as specified by the Austin Cable Commission for use by Austin Access.

Emergency Shelter Grant Application

Authorized submission of an Emergency Shelter Grant application to the United States Department of Housing and Urban Development (HUD) and acceptance of the \$13,000.00 FY '88 Grant.

Crime Prevention Program

Authorized the City Manager to submit a grant application to the State of Texas, Governor's Office, Criminal Justice Division in the amount of \$63,538.00 for the purpose of providing funding for the Neighborhood Centers Crime Prevention Program of the Austin Police Department.

CONTRACT FOR TRUCKS, VANS & UTILITY VEHICLES

Council had before them for consideration approval of contracts for twenty-two trucks, vans and utility vehicles for General Services Department.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, approved contracts for the replacement vehicles only. (6-0 Vote, Mayor Pro Tem Trevino out of the room, with a 5-0 vote for purchase from McMorris Downtown Ford, Inc., with Mayor Cooksey abstaining, Mayor Pro Tem Trevino out of the room)

Motion - FAILED

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Urdy to purchase new vehicles as listed. Motion failed by a vote of 4-3 with Mayor Cooksey, Mayor Pro Tem Trevino, Councilmembers Humphrey and Nofziger voting No, with a 3-3 Vote for purchase from McMorris Downtown Ford, Inc. with Mayor Cooksey abstaining. Motion FAILED.

LATER IN THE DAY: Motion

Later in the day a motion was made to reconsider the vote by Councilmember Carl-Mitchell and seconded by Councilmember Shipman, 7-0 Vote.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted a resolution approving the new vehicles listed as 4,5,9,10. (4-3 Vote with Mayor Cooksey, Councilmembers Humphrey and Nofziger voting No, with a 4-2-0 vote purchase from McMorris Downtown Ford, Inc. with Mayor Cooksey abstaining and Councilmembers Humphrey and Nofziger voting No.)

Following is the bid award for both replacement and new vehicles:

- |  |   |
|--|---|
| (1) Bid award:   | - Twenty-two (22) Trucks, Vans and Utility Vehicles, General Services Department<br>Total \$239,138.31 88-0092-OM |
| (a) NORTH CENTRAL DODGE, INC.<br>7309 N. IH-35<br>Austin, Texas        | - Items 1,6,13, & 14 - \$66,555.00  |
| (b) COLORADO VALLEY TRUCK & TRACTOR<br>Route 1<br>La Grange, Texas     | - Items 2 & 3 - \$28,036.31   |
| (c) LEIF JOHNSON FORD, INC.<br>501 Koenig Lane<br>Austin, Texas        | - Items 4,5,8 & 11 - \$53,778.00  |
| (d) MCMORRIS DOWNTOWN FORD, INC.<br>808 W. 6th Street<br>Austin, Texas | - Items 7,9, & 10 - \$68,513.00   |
| (e) HENDRIX GMC TRUCKS, INC.<br>4400 S. IH-35<br>Austin, Texas         | - Item 15 - \$22,256.00   |

## POINT VENTURE MUNICIPAL UTILITY DISTRICT

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance authorizing the City Manager to execute the agreement concerning the creation and operation of Point Venture Municipal Utility District. (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Nofziger abstained.)

## WASTEWATER DISPOSAL CONTRACT

Council had before them for consideration approval of a Wastewater Disposal Contract between Brushy Creek Water Control and Improvement District No. 1 and Williamson and Milam Counties, the City of Austin, and the City of Round Rock and consideration of options for Wastewater Disposal in the Brushy Creek Watershed.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted the following resolution: (5-2 Vote, Councilmembers Humphrey and Nofziger voted No.)

Move that the City Manager be authorized to enter into an agreement with the City of Round Rock and the Brushy Creek WCID concerning wastewater disposal subject to the following changes:

1. Provision that Phase 1A be staged with the first stage being limited to construction of the tunnel, the interceptor downstream of the tunnel, and engineering of the 5 MGD treatment plant. Section 4.01 at a minimum requires more flexibility.

2. Provision in Article XI that the Technical Review Committee must recommend approval of all contracts prior to their award by the Board of Directors.

The City Manager is also instructed to inform Round Rock and the Brushy Creek WCID that it is the City of Austin's urgent desire to minimize cash flow on the project at this time. In that regard, the Technical Review Committee is requested to have studies done which address cash flow and other aspects of the following:

1. The basis for projecting the need for an interceptor in Brushy Creek upstream of the tunnel and timing of such need.

2. The desirability of constructing an interceptor in Lake Creek upstream of the tunnel instead of an interceptor in Brushy Creek.



3. The feasibility of minimizing cash flow requirements for construction of the treatment plant by one or more of the following methods:

a. Obtaining interim treatment plant capacity from Round Rock as provided in Section 10.02 of the agreement.

b. Monitoring growth in the area and interim service capabilities of users to determine when construction of the treatment plant is required.

c. Examining the tradeoffs of providing service in the short term by constructing a smaller plant or relocating a 1 MGD Williamson Creek plant.

d. Any other methods of reducing cash flow consistent with meeting service needs of the area.

Any studies or reports done pursuant to the above shall be presented to the Water and Wastewater Commission and forwarded to the City Council for their information and any necessary action. In any event, the Water and Wastewater Commission shall be given a status report on the regional effort on a quarterly basis.

#### HOMELESS PROGRAM FUNDS

Council had before them for consideration a resolution to consider approval of process for appropriation of Homeless Program funds.

#### Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, approved process for appropriation of Homeless Program funds, but conform the RFP to the recommendation of the Interim Planning Board and fast track this so it moves as quickly as possible, less than 60 days if feasible. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

#### 1. Pending Litigation - Section 2, Paragraph e

(a) City of Austin v. Houston Lighting and Power

## 2. Personnel Matters - Section 2, Paragraph g

- (a) City Manager Search
- (b) Appointment of Relief Judges
- (c) Municipal Court Clerk

## RECESS

Council recessed its meeting for executive session from 5:40 to 6:15 p.m.

## ITEM POSTPONED

Postponed until March 31, 1988 is consideration of supporting the State Department of Highways and Public Transportation's recommendation to include Loop 360 (from U.S. 290 to U.S. 183) in its 5-year Project Development Plan, because additional language is needed. On Councilmember Shipman's motion, Councilmember Humphrey's second, 6-0 Vote, Mayor Pro Tem Trevino out of the room)

## PAVING ASSESSMENT POLICY REVISED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution revising the Paving Assessment Policy. (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Shipman out of the room)

## ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning cases. Council heard, closed the public hearings, passed ordinances where applicable, and postponed if necessary. Disposition of cases follows each listing.

- |     |     |                     |                    |                             |
|-----|-----|---------------------|--------------------|-----------------------------|
| (1) | -87 | R.L. TINGLEY        | 7417,7419 E.       | From "I-SF-3"               |
|     | 183 | By Richardson       | Riverside Drive    | To "GR" & "CS-1"            |
|     |     | Verdoorn            |                    | NOT RECOMMENDED             |
|     |     |                     |                    | RECOMMENDED "GR"            |
|     |     |                     |                    | POSTPONED TO APRIL 28, 1988 |
| (2) | -87 | STEBBINS FIVE       | 6909 Burnet Lane   | From "GR" & "MF-3"          |
|     |     | PARTNERSHIPS        | 2105 Cullen Avenue | To "GO"                     |
|     |     | By Kendall, Randle, |                    | NO RECOMMENDATION           |
|     |     | Finch & Osborn      |                    |                             |

PASSED THROUGH FIRST READING, SUBJECT TO  
RESTRICTIVE OVERLAY LIMITING USAGE TO CONVALESCENCE  
SERVICES, CULTURAL SERVICES & RELIGIOUS ASSEMBLY AND  
LIMITING THE HEIGHT OF TRACT 2 TO 40', DENY THE STAFF  
RECOMMENDATION, DEDICATE 35' RIGHT-OF-WAY ON CULLEN  
AVENUE AND NOTED THAT A TIA WILL NOT BE REQUIRED IF  
THE USES, INTENSITIES PROPOSED IN TIA DETERMINATION  
MAINTAINED DO NOT EXCEED IT.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 5-0 Vote, Mayor Pro Tem Trevino & Councilmember Urdy out of the room.)

(3) -88 BUCK DELL, et al. 8109 Longview Road From "SF-3"  
0002 By Bush Surveying To "MH"  
& Associates NOT RECOMMENDED

FIRST READING, STAFF RECOMMENDATION,  
GRANT SUBJECT TO DEDICATION OF 32'  
RIGHT-OF-WAY CENTER LINE OF LONGVIEW  
ROAD & 6' FENCE

(On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 7-0 Vote)

(4) -88 CFC/HARDIN 8701 N. MoPac From "LO"  
0005 JOINT VENTURE Service Road To "LR"  
By Clark, Thomas NOT RECOMMENDED  
Winters & Newton FIRST READING WITH  
AGREEMENT

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

(5) -87 CITY OF AUSTIN 4800 Nixon Lane From "I-SF-2"  
186 By Office of Land To "LI"  
Development ORDINANCE  
Services

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second,  
6-0 Vote, Mayor Pro Tem Trevino out of  
the room)

#### CITY MANAGER REPORTS

The report on Telecommunications Planning was postponed to March 31, 1988. Building Safety Department Business Plan report was presented on March 31, 1988. Council did not hear the Department of Environmental Protection Business Plan. The report on Water and Wastewater Issues was postponed indefinitely.

#### OFFICE LEASING SPACE

Ann Bradstreet, Alexander & Associates, presented the report on office leasing space for City of Austin employees.

#### Motion

Councilmember Shipman made the following motion, seconded by Councilmember Humphrey, which passed by a vote of 5-0 with Mayor Pro Tem Trevino and Councilmember Urdy out of the room.

"I move we authorize a one-year renewal of approximately 100,000 square feet of existing City office space leases at the prices indicated on Page 2 of the report. If possible, I'd like the consultants to try to get cancellation options as part of these renewals, but that certainly is not a requirement. This action is

needed now because we can immediately begin to accrue savings of about \$45,000 per month as we continue our search for a longer term arrangement. I'm also very interested in the proposals concerning the 1622 East Riverside property and ask for consensus from Council to direct staff and the consultants to pursue these possibilities.

#### NO ACTION

No action was taken on the City Manager Search or Gilbane Update on the Civic Center Project.

#### PUBLIC HEARING CONTINUED

Continued to March 31, 1988 at 5:00 p.m. is continuance of the hearing on Town Lake Comprehensive Plan.

#### ITEMS FROM COUNCIL

Councilmember Carl-Mitchell introduced to Council a discussion of business expansion and retention study.

Postponed to March 29 and March 31, 1988 is consideration of approval of a resolution adopting a City of Austin Transportation of Hazardous Material Policy as introduced by Councilmember Nofziger.

#### PUBLIC HEARING SET

A public hearing on Consideration of an Affordable Housing Policy was set for April 7, 1988 at 6:00 p.m.

#### THREATENED & ENDANGERED SPECIES

The Council, on Councilmember Nofziger's motion, Councilmember Humphrey's second, adopted a resolution creating a Citizen Task Force to begin researching and drafting language for a Threatened and Endangered Species Ordinance. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Shipman out of the room)

#### ADJOURNMENT

Council adjourned its meeting at 1:31 <sup>A.M.</sup> ~~P.M.~~